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September 20, 2021

**VIA ELECTRONIC CASE FILING**

Honorable Steven Tiscione  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza, East  
Brooklyn, New York 11201

**Re: *Besedin v. County of Nassau, et.al.***  
**Docket No.: CV-18-819 (KAM)(ST)**

Dear Judge Tiscione:

We are the attorneys representing the Plaintiff in the above referenced matter. By this letter, the parties provide the Court with a Joint Status Report. The parties also jointly request a 60-day extension of the discovery deadline until December 31, 2021.

Recently, Defendants retained new counsel, and the Court extended discovery until October 31, 2021. On August 12, 2021, Defendants served extensive interrogatory and document demands on Plaintiff. Plaintiff needs additional time to finalize his responses to these demands. The parties have yet to take depositions in this action as it is Defendants' position that depositions cannot go forward prior to completion of document discovery. Also, Plaintiff's deposition has been delayed due to a medical condition. Counsel is working to ascertain Plaintiff's ability to participate in a deposition with his treating physicians and will work with Defendant's counsel to schedule his deposition in short order.

Defendants will file a pre-motion conference seeking leave to file a Fed. R. Civ. P. 12(c) Motion to Dismiss. Defendants have also requested that Plaintiff submit to a Rule 35 examination. It is Plaintiff's position that Defendants explicitly and repeatedly waived their right to examination. See Docket Entry 32, dated June 22, 2020. Defendants will address this issue in their pre-motion conference letter.

We thank the Court for its kind consideration.

Respectfully submitted,

*/S/ Frederick K. Brewington*

FREDERICK K. BREWINGTON

cc: Mark A. Radi, Esq. (via ecf)  
FKB:md